

06-29-01

Box/sea

PTO/SB/05 (4/98)

Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCEPlease type a plus sign (+) inside this box → ☒

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UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 38-21(15856)B

First Inventor or Application Identifier Timothy W Conner

Title Plant Regulatory Sequences for Selective Control of Gene Expression

Express Mail Label No. EL 733950926 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 91]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
4. Oath or Declaration [Total Pages 3]
- a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 16 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

\* NOTE FOR ITEMS 1 & 13 IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY  
FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT  
IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☒ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)
  - c. ☒ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement of Power of Attorney  
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☐ \* Small Entity Statement(s) filed in prior application  
(PTO/SB/09-12) Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Other: \_\_\_\_\_

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

27161

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Lawrence M Lavin, Jr.

Registration No. (Attorney/Agent)

30,768

Signature

Lawrence M Lavin, Jr.

Date

6/28/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

06/28/01

jc962 U.S. PTO

PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1,030.00

## Complete if Known

Application Number  
Filing Date  
First Named Inventor Timothy W. Conner  
Examiner Name  
Group Art Unit  
Attorney Docket No. 38-21(15856)B

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number 13-4125
- Deposit Account Name
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☐ Payment Enclosed:
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	355		Utility filing fee	710.00
106	206	160		Design filing fee	
107	207	245		Plant filing fee	
108	208	355		Reissue filing fee	
114	214	75		Provisional filing fee	

SUBTOTAL (1) (\$) 710.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	-20** =	0	0
7	-3** =	4	80.00
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
103	203	9		Claims in excess of 20
102	202	40		Independent claims in excess of 3
104	204	135		Multiple dependent claim, if not paid
109	209	40		** Reissue independent claims over original patent
110	210	9		** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 320.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	65		Surcharge - late filing fee or oath	
127	227	25		Surcharge - late provisional filing fee or cover sheet	
139	239	130		Non-English specification	
147	247	2,520		For filing a request for ex parte reexamination	
112	212	920*		Requesting publication of SIR prior to Examiner action	
113	213	1,840*		Requesting publication of SIR after Examiner action	
115	215	55		Extension for reply within first month	
116	216	195		Extension for reply within second month	
117	217	445		Extension for reply within third month	
118	218	695		Extension for reply within fourth month	
128	228	945		Extension for reply within fifth month	
119	219	155		Notice of Appeal	
120	220	155		Filing a brief in support of an appeal	
121	221	135		Request for oral hearing	
138	238	1,510		Petition to institute a public use proceeding	
140	240	55		Petition to revive - unavoidable	
141	241	620		Petition to revive - unintentional	
142	242	620		Utility issue fee (or reissue)	
143	243	220		Design issue fee	
144	244	300		Plant issue fee	
122	222	130		Petitions to the Commissioner	
123	223	130		Petitions related to provisional applications	
126	226	180		Submission of Information Disclosure Stmt	
581	281	40		Recording each patent assignment per property (times number of properties)	
146	246	355		Filing a submission after final rejection (37 CFR § 1.129(a))	
149	249	355		For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	355		Request for Continued Examination (RCE)	
169	269	900		Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

## SUBMITTED BY

Name (Print/Type) Lawrence M. Lavin, Jr. Registration No. 30,768 Telephone 636-737-6670

Signature Date 6/28/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Conner et al.  
Serial No.: To Be Assigned  
Filed: Herewith  
For: Plant Regulatory Sequences For Selective Control Of Gene Expression  
Examiner: To Be Assigned

June 28, 2001

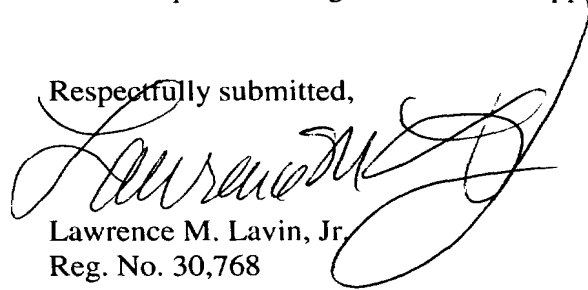
**STATEMENT UNDER 37 C.F.R. 1.821(f)**

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Sir:

In accordance with 37 C.F.R. 1.821(f), I hereby state that the information recorded in computer readable form is identical to the written sequence listing submitted in support of the present application.

Respectfully submitted,



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SCANNED # 26